



JPW

PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/732,933	
	Filing Date	December 10, 2003	
	First Named Inventor	Hussain	
	Art Unit	2854	
	Examiner Name	Hamdan	
Total Number of Pages in This Submission	5	Attorney Docket Number	38494-00157D

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return post card
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Lucius L. Lockwood Lewis and Roca LLP
Signature	
Date	November 5, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Cammie R. Lopez		
Signature		Date	November 5, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors:)	Group Art Unit: 2854
Khalid X. Hussain)	
)	
Serial No. 10/732,933)	Examiner: Hamdan
)	
Filing Date: December 10, 2003)	
)	Attorney Docket: 38494-00157D
Title:)	
DIGITAL CANCELLATION MARK)	

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
AND STATEMENT UNDER 37 C.F.R. § 1.97 (e)(2)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attorney Docket No.: 38494-00157D
Date: November 5, 2004

Sir:

This Information Disclosure Statement, including completed Form PTO-1449 comprises pertinent art of which Applicants are aware. It is respectfully requested that these documents be considered by the examiner in the pending application. Although the cited references were first brought to the attention of the Applicant by the Examiner in a recent telephonic interview, out of an abundance of caution in satisfying the Applicant's duty of candor under the Rules, the Applicant hereby formally submits the enclosed IDS.

I hereby certify that this correspondence is being deposited with the United States Postal Service via U.S. First Class Mail, with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450:

Cammi R. Lopez
Printed Name

November 5, 2004
Date


Signature

Form PTO-1449 is enclosed herewith.

Pursuant to rule 1.97(c), the Applicant requests that the examiner review the enclosed information disclosure statement and consider the disclosed references without requiring additional fees. Further, pursuant to 37 C.F.R. § 1.97(e)(2), the Applicant asserts that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the enclosed information disclosure statement. Notwithstanding the foregoing, should any fees be required for consideration of the enclosed IDS, the Applicant requests that the necessary funds be applied from deposit account number 502509.

It is believed that this disclosure complies with the requirements of 37 C.F.R. §1.56, 1.97, and 1.98, and the Manual of Patent Examining Procedures §609. If for some reason the examiner considers otherwise, it is respectfully requested that the undersigned be called so that any deficiencies can be remedied.

This disclosure statement should not be construed as a representation that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(a) exists. The submission of this Information Disclosure Statement and the references submitted therewith are not an admission that the art cited is “prior” with respect with the present invention, nor are they a representation, that no better art exists. Applicants hereby reserve the right to swear behind or otherwise disprove any alleged “prior” nature of any art cited should the facts support

on a situation on such an action. It is submitted that the art cited does not constitute a bar to the patentability of Applicants' invention under 37 C.F.R. §102 or §103.

Respectfully submitted,



Dated: November 5, 2004

By: _____

Lucius L. Lockwood
Attorney for Applicant
Registration No. 53,231

Lewis and Roca
40 N. Central Ave., Ste. 1500
Phoenix, AZ 85004
Phone No.: 602-262-5355
Facsimile No.: 602-734-3899

Docket No.: 38494-00157D

